

**Contribution of Muslim Women
in the Development of a Society.**

By:
Naseem Razi,

ABSTRACT

The present article gives a comparative analysis of the contribution of Muslim women in the development of earlier Muslim society as well as in contemporary Pakistani society. The major part of the article is devoted to the divine instructions to motivate a Muslim woman to contribute in the growth and progress of a society. It aims to remove the misconception and misunderstanding regarding the status of a Muslim woman in a society. Now a day a clash seems to be arising between inherited principles of Islam and practical situation of Muslim women in contemporary period when it is considered that Islam required keeping women in a subordinate position in every sphere of her life. Many of the present day religious scholars hesitate to allow the Muslim women to go out side home, to adopt any permissible profession, and to participate in social activities. In this context it has been argued that Shariah contains divine inspirations not only theologically but practically it presents a complete picture of the social activities of Muslim Women in the earlier Muslim Society during the life time of Holy Prophet (peace b.on Him). The Muslim women had a significant influence on the development of society in the domain of Holy Prophet (peace b.on Him). This article presents that the women during the period of Holy Prophet played a significant role in the cultural and intellectual advancement of the Muslim society. There was hardly any phase of life where women did not contribute. They enjoyed a degree of freedom that is rare in the contemporary period of Muslim world. It discusses the rich material of Shari'ah n and legislative enactments made by the parliament in favor of a Muslim woman. It shows that being more than half of the total population; it is inevitable for a Pakistani Muslim woman to participate in the development of the country. It is also proposed some suggestions outlining the problems of Muslim professional women in Pakistani society.

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Introduction

Islam has deep concerned with the development of a strong prosperous society and ensures all basic human rights. A systematic arrangement has been made for the economic, social and cultural development of human being. Islam has placed these values as legal orders. It supported them with all the legislations that are needed to

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ensure their implementation. Neither the provisions of the universal declaration of human rights, nor the International Covenant of economic, social and cultural rights have gone so far as Islam. They remained as moral recommendations not guaranteed by any legal safeguards. Under Islamic legal system these values constitute imperative obligations and must be enforced by legislative and executive guarantees.

A country will advance only if all the segments of the society would contribute according to its own capability. Since a healthy society exists on the basis of equality and justice. Islam declares the equality of man and woman in every walk of life. This equality based on the doctrine that man and woman have the same human nature. The relations between man and woman are characterized by reciprocal rights and obligations. It is stated in the Qur'an: "And they (women) have rights similar to those (of men) over them in kindness and men are a degree above them"¹ According to the provision of Qur'an man and female are equal in nature and in humanity. Both are created from a single person. It is stated in Qur'an: "O mankind! Reverence your Guardian –Lord, Who created you from a single person, created of like nature, his mate and from them twain scattered countless men and women."² Another verse states: "And Allah has made for you mates of your own nature...."³ In these verses it is clearly mentioned that male and female has similar nature. The word nature applied to a bundle of attributes, capacities, predilections and dispositions which may sum up in the word nature or *Nafs*. Women is made to be a companion of man, having the same nature (except of sex) and therefore with the same moral and spiritual faculties.⁴ It is evident that Islam introduced historic radical changes in favor of women in the legal domain. Prior to Islam, many Arab tribes took women as an object only and treated them with disgraced manners. More over it, they being buried alive at the moment of birth. When news of birth of any female brought to any of them, he felt sorrow and grief. He tried to hide himself from the people because of such bad news. Qur'an expresses it: "And when the girl-child who was buried alive, ask: For what sin she was killed?"⁵ In those dark days, Islam placed the question of the status of women among the first human problems and resolved it with extreme courage, firmness and certainty. Islam lifted women from the lowest condition to the highest level of social hierarchy and gave her entire capacity to be equal to men. By saying that women are the sisters of men, Islam acknowledged her full capacity in all field of life. This is the reason that a Muslim woman has a strong and admirable position in the society under the unique social system of Islam.

¹The Qur'an, 2: 28.

²The Qur'an, 4:1

³The Qur'an, 16:72.

⁴ Al-Nasafi, Abdullah b. Muhammad, *Tafseer al-Nasafi* (Bairut: Dar al-Kitab al-Arabi, n.d.) 1:204; Abdullah Yousaf 'Ali, *Translation & Commentary of Holy Qu'an* (Lahore: Sh. M. Ashraf, 1980) p.675.

⁵The Qur'an, 81:31.

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The clash arises between inherited principles of Islam and practical situation of Muslim women in contemporary period when it is considered that Islam required keeping women in a subordinate position in every sphere of her life. Contrary to this opinion we have unprecedented legislation in favor of women. Islam makes no discrimination between a man and a woman. Both are the creatures of Allah and are equally responsible before Him. Allah Almighty has declared in Qur'a'n: "I have only created *Jinns* and *Ins* (man & woman), that they may serve Me."⁶ Like a man, woman is also responsible and under obligation to preach for good and to prohibit from bad things. It is stated in Qur'a'n: "Let there arise out of you a band of people inviting to all that is good, enjoining what is right and forbidding what is wrong: They are the one to attain felicity."⁷ This verse clearly indicates that how Islam encourages a woman to play her positive role in the development of society. The Holy Prophet (peace be on him) made education an obligation irrespective of sex and grade. However, the current situation of Muslim woman draws the intention of developed Western countries to challenge the capacity of Islam regarding the status of woman. In the presence of such a rich and unmatchable history about the status of female, it is moment of pondering intention why we fail to prove and to practice it now? Why are we being blamed by others for inequality and injustice between these two sexes?

During last years, many conferences held between European jurists and Saudi Canonists on Moslem Doctrine and Human rights in Islam, in these conferences it was declared by Muslim Jurists that Islam placed a woman on a very high stage and made her bound to get education. That Islam considers a woman to contribute in the development of a society. There is no difference between man and women in this concern. Woman has full capacity to enjoy all social; cultural rights for instance the right to property, sale, purchase and marriage without any guardianship and restriction whatsoever. In this, Islamic law goes much further than much legislation in the modern world.⁸

On the other hand the practical situation regarding the role of Muslim women is not satisfactory. Talking about the situation of Pakistani Muslim society is that the ratio of divorce and separation cases has been increased during a decade. Some people blame that the increased ratio is due to the professional activities of Muslim women. They considered the social activities of educated and working women a great cause in this concern. This blame should be taken seriously. Islam has clear provisions regarding the freedom of female to get education and to contribute in the development of a healthy society and to enjoy and exercise all rights for instance the

⁶The Qur'a'n ,51:56.

⁷The Qur'a'n, 3:104.

⁸These conferences held in Riyadh, Paris, Geneva and Strasbourg between Saudi Canonists and European Jurists and Intellectuals. see, Conferences on Moslem Doctrine and Human rights in Islam (Riyadh: Ministry of Justice, n.d.) pp.166-167

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right to property, sale, purchase and marriage without any guardianship and restriction whatsoever. Then our constitution and other legislation are also in favor of female.

We know that Allah has created this universe to examine the spiritual and mental capability of human being. For this purpose, God bestowed human being with certain qualities and weaknesses. God made the human being superior to all other creatures. Not only had this but also divided human being in to two sexes. Islam imposed certain limitations on human being to live in this universe. The first restriction is to respect the dignity of each other and to let one free to act according to the limitations imposed on him by *Shariah*. God declares in Qur'an:" We have honored the sons of Adam; provided them with transport on land and sea: g. en them for sustenance things good and pure; and conferred on them special favors above a great part of our creation."⁹ This verse shows that this distinction and honor conferred on man are recounted in order to enforce the corresponding duties and responsibilities of man. He has been granted talent to use and to grow his personality. Then his spiritual faculties raise him above the greatest part of God's creation. He wants to Judge, how the man uses his talent and other qualities? How he prepare himself to face the Day of Judgment? It is stated in Qur'an:" He who created death and life that He may examine to which of you best indeed."¹⁰ The most important purpose of the creation of this world is to attain *masalah* that is the repulsion of harm and the attainment of benefits. Imam Shatibi said:" The purpose of Legislation in Islamic law is to provide benefits for people in this world and in the world hereafter."¹¹ Human being is bound to enjoy with his qualities according to the conditions imposed by *Shariah*. The basic purpose of Islamic legal system is to remove pain and to gain benefits for people. Qur'an states:" Allah intends every facility for you, He does not want to put you to difficulties."¹² Infact, this is the point to think and to judge one self. The whole social structure of this world is moving around the interests of these two sexes. *Shariah* aims to secure the interests of each sex and has prescribed certain rules in case of contradiction between these interests. The general rule is that the stronger interest shall prevail over the weaker. E.g. the public interest is given preference over the private interest. The definitive interest will prevail over the probable interest etc. Thus Muslim Jurists presented a balance framework to exercise the interests of human being.¹³ In this section I will discuss the role and functions of Muslim women performed by her during the period of Holy Prophet and afterward.

⁹The Qur'an, 17:70.

¹⁰The Qur'an, 67:2.

¹¹See for detail, *Al-Muwafiqat* (Cairo: Mustafa al-babi al-Halbi, n.d.), 2:6.

¹²The Qur'an, 2:185.

¹³Al-Ghazzali, Abu Hamid, Mhammad b. Muhammad, *Al-Mustasfa`* (Egypt: Al-Matb'a al-Amiriyyah, 1322AH), 1:303; Al-Shatibi, *Muwafiqat*, 2:357.

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The social activities of Muslim women are being presented in to two phases. Firstly, I discuss the role of a Muslim woman in the development of society during the life time of Holy Prophet and secondly, the role of a contemporary Muslim woman in the development of Pakistani society will be discussed. Then I would like to point out some issues and problems of contemporary Muslim woman related to her economical and social activities. At the end some suggestions will be given to solve these problems

1. Contribution of Muslim woman in the Development of Earlier Muslim Society.

History of Muslim woman shows that she contributed in preaching Islam and in the development of society as well. She performed her worship and her responsibilities well. She was not deprived of her right to exercise her role in the development of society. The Qur'an states; "The believers, men and women are protectors of each other: They enjoin what is just and forbid what is evil: they observe regular prayers, practice regular charity and obey Allah and His apostle."¹⁴ Similarly, a woman is independently entitled for punishment of any crime committed by her, as God says in the Qur'an: "The woman and the man guilty of adultery flog each of them with a hundred stripes."¹⁵ Then general nature of Islamic laws also made it clear that man and woman are equally entitled to participate to progress their society. It is stated in the Qur'an: "Say: O men! I am sent unto you all, as the apostle Allah."¹⁶ Muslim Jurists are agreed that woman is included in this word *al-Na's*.¹⁷ Islam encourages and appreciates both man and woman to spend time in healthy and creative activities. It is witnessed that majority of household women have to spend spare time in useless and harmful matters, it is better for them to perform some positive activities and to adopt any permissible profession. This is an important issue which requires a balance behavior of society towards women. The work and role of Muslim woman in a society can be divided into two types, her gobs at home and gobs outside home.

1.1. Status and role of woman at home.

Recognizing the difference of her sex from man, Islam encourages women to stay at home and to perform the divine duty that is the grown up of children under her kind supervision. By performing this duty a woman becomes the way to Heaven and obtained the most respectable status of a society. Being a mother she trained her child according to the universal rules of Islam and enables her child to

¹⁴The Qur'an, 9: 71.

¹⁵The Qur'an, 24: 2.

¹⁶The Qur'an, 7:158.

¹⁷Al-Shukani, Muhammad b. Ali b. Muhammad, *Irshad al-Fahul* (Cairo: n.p.1356AH), pp.110-111.

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become not only a good Muslim but also a great reformer of the society. In this way, she provides a base to develop a society. Considering this great job and contribution towards the society, Islam does not make her responsible to earn and to maintain herself and her children. This is the sole responsibility of father to struggle, to earn and to maintain his family. Family in Islam is considered a unit of social system. In this setup, man is head and he is responsible to maintain and to train his family. God says: "O ye who believe! Save yourselves and your families from a fire whose fuel are men."¹⁸ This is because of his physical constitution, which make him more capable of shouldering these responsibilities in the interest of the whole family. Thus Islam ties a strong relationship between two individuals by way of marriage and made it a source of re-production. The Qur'an mentions this blessing of God by saying: "And Allah has made for you mates of your nature, and made for you out of them, sons and daughters and grand children and provided for you sustenance of the best."¹⁹ Once the Holy Prophet(Peace be on Him) said:" Every one of you is a protector and will be asked about his subject, Father is protector of his family and will be asked about it, and female is protector of the wealth of her husband and father and will be asked about it, and servant is protector of the property of his master and will be asked about it, Oh, listen, every one of you is a protector and will be asked about it"²⁰ According to this hadith, a Muslim woman is responsible only to look after her children and the property of her husband. She is also required to be obedient to her husband. It is stated in the Qur'an: "Therefore the righteous women are devotedly obedient, and guard in absence, what Allah would have them guard."²¹

To declare a man as *Qawwam*/head, the man is under heavy duties toward his family. To enjoy his conjugal rights, God has ordered him to pay dower to his wife. The Qur'an states: "And give women their dower as free gift, but if they of their own pleasure, remit any part of it to you, take it and enjoy it with right good cheer."²² Islam emphasizes that a man must have true and universal relationship with Allah and His creation. The reason is that the society cannot yield best result unless the man has a firm commitment to God and toward this entire creation. The primary focus of Islam is on the individual and his action in this world. To protect and stabilize the individual, Islam has established a complete social order of development. Similarly, Islam makes a husband bound to maintain his wife. Islam gives her right for cancellation of marriage, if husband does not spend on her. To enable a woman to enjoy her stay at home it is the duty of man toward his wife to

¹⁸The Qur'an, 66: 6.

¹⁹The Qur'an, 16: 72.

²⁰ Imam Bukhari, Muhammad bin Isma'il bin Ibrahim, *Sahih al-Bukhari* (Lahore: 7 Aibak Road, New Anarkal, n.d.) Kitab-al-Juma, Bab al-Bir wa al-Silah, 1:11.

²¹The Qur'an, 4: 34.

²²The Qur'an, 4: 4.

be polite and kind to her. The Qur'an states: "And live with them on a footing of kindness and equity. If you take a dislike to them, it may be that you dislike a thing and Allah brings about through it a great deal of good."²³ And Holy Prophet said: "Best among believers, who is best for female."²⁴ It is also reported that Holy Prophet said: "Best among you who is best for his wife, and I am best of you for my wife."²⁵ To make her confident the husband should share his problems and worries with her. In case of any misunderstanding positive thinking should be existed between the two. It is this reason that Holy Prophet prohibited made His companions bound to inform their wives before entering home, if they returned from journey. It is reported that Holy Prophet said: "When any one of you return back from journey, he should not enter home at night."²⁶ This is woman who causes mental and physical satisfaction for man. Talking about the duties of woman regarding her husband, some scholars are in opinion that a woman can not go out side the home without permission of husband. It is an obligation for woman to get permission prior her every exit from home. This is an extreme view. To prescribe the limits of this issue, a comprehensive revision should be done of the activities of *Sahabiyat*. It is important to make it clear. What was the status and condition of Muslim woman during the period of Holy Prophet?

To refute this opinion, we have so many examples to prove that a righteous Muslim man can not impose such condition on his wife. The best example is the silence of Hazrat 'Umar regarding his wife's action that had to perform her prayers regularly, day and night in the mosque with out the prior permission of her husband. Despite of his disliking, Hazrat 'Umar did not forbid her wife to do so. It was just because of the saying of Holy Prophet Peace be on Him: "Do not forbid female slave of Allah from coming them to mosque."²⁷ It is reported that 'Abdullah b. 'Umar stated the saying of Holy Prophet: "when women take permission to go to mosque, do not forbid them." Bilal b. 'Abdullah was there and replied: "O God we will forbid them." Then Hazrat 'Abdullah abused him which he never heard to use and said: "I am telling you the hadith of

²³The Qur'an ,4: 19.

²⁴ Imam Ahmad b. Hanbal, Al-Shaibani, *Al-Musnad* (Cairo: Mustafa' al-Halbi, n.d.), 2:472.

²⁵ Al-Tirmidhi, Abu —'Esa Muhammad bin'Es'a , *Sunan al-Tirmidhi*, Kitab al-Manaqib, Bab Fadl Azwaj al-Nabi (Damishq: Dar al-Fikr,1980), 2:44.

²⁶ Imam Bukhari, *Sahih al- Bukhari*, 9:120, Kitab al-Nikah, Bab la Yatruq Ahlahu Lilun. The cause of this hadith was that Abdullah b. Rawahah return back from journey at night and went to home and found some thing odd regarding his wife, He brought out his sword to kill, then his wife said: I am for you, some one mislead me, He informed Holy Prophet, And Holy Prophet prohibited men to enter home at night. See for detail, Al Syyuti, Jalal al-Din, *Asbab Warud al-hadith*, p.176.

²⁷ Al-'Asqalani, Ibn-e-Hajr, *Fathul Bari Sharah Sahih al-Bukhari* (Cairo: Mustafa' al-Halbi, n.d.), Kitab Abwab Sifat al-salat, Bab Kharuj al-Nisa' ila al-masjid, 2:492

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Holy Prophet and you are saying O God we will forbid them.”²⁸ This report shows that no one is allowed to exceed the limits imposed on him by Lawgiver. No doubt, to say prayer and to perform worship in mosque is Mubah for women but to give permission for it is an obligation for man.²⁹ The most important event which proves that prior permission is not an obligation/wajib for every permissible act, it is the act of Hadrat Zainab bint Jahash, the wife of Holy Prophet (Peace be on Him) when she ordered to set up a tent in the mosque for *I'tikaf* during *Ramadan*.. For that only Hadrat ‘Ayesha and Hadrat Hafsa got permission from Holy Prophet. The Holy Prophet was surprised to see the tent of Hadrat Zainab. It is reported from Amar b.Harith that he did not find any report that Hadrat Zainab got prior permission from Holy Prophet. She just saw the tents of Hadrat ‘Ayesha and Hadrat Hafsa and ordered for her also.³⁰ It is beyond logic that the wives of Holy Prophet could ignore an obligation/Wajib. There is no report that after knowing about the tent of Hadrat Zainab, the Holy Prophet asked her why she did so without His prior permission? Now a day it is claimed that to do all house hold work is responsibility of female (wife).Contrary to this claim, the history of Muslim women shows that she was not bound to do all house hold works. The Holy Prophet Peace had eleven wives but He never asked them to do His work. He had to stitch and wash His clothes Himself. He mended His shoes. He prepared food. Not only had this but He arranged female slaves for His wives. It is reported that a black/habshi female slave had to make *Nabeed* for Holy Prophet instead of His wife.³¹ Our great Prophet was very sensitive about Her Wives, once a Persian came and invited Him for lunch. Hadrat ‘Ayesha was there. Holy Prophet pointed out her presence by saying:” Is she invited also? He replied:” no”. The Holy Prophet said: “then I will not come.” In this way, he came for thrice but He refused to accept invitation without the company of Hadrat ‘Ayesha. At last that Persian invited Hadrat ‘Ayesha too. Then Holy prophet accepted his invitation and went to his home with Hadrat ‘Ayesha.³²

1.2. Role of women in the society out side home.

This is the blessing of Islam that it does not make women responsible to work and to earn outside home. She is free from all liabilities to maintain her family. She is exempted from the obligation of maintaining and spending, this heavy responsibility rests on man alone. Irrespective of all these facilities, Islam does not prohibit her to

²⁸ Imam Muslim, *Sahih Muslim*, Kitab al-Salat, Bab Kharuj al-Nisa` ila al-masjid, 2:22.

²⁹ See for detail, ‘Abd al-Halim Abu Shaqqah, *Tahrir al-Mara`tu fi `Asr al-Risalah* (Cairo:Majlis al-Sha`b, 65, n.d.), 2:171.

³⁰ Imam Bukhari, *Sahih Bukhari*, Kitab Salat al-Traveeh, Bab Man Aradah a`n Ya`takif, 5:190; Imam Muslim, *Sahih Muslim*, Kitab Al-I'tikaf, Bab Mata Yadkhulu man Ara`dah al-I'tikaf, 3:173-175; See for detail of this Hadith, Al-Asqalani, *Fathul Bari* ,5:180-181.

³¹ Sahih Muslim, Kitab, al-Ashribah, Bab, Ibahat al-Nisa`, 6:102.

³² Ibid. , Bab, Ma` Yafalu al-Daif, 6:116.

indulge in any permissible profession, to earn and to contribute in the development of society. This permissibility indicates that Islam considers a woman a complete and competent human being and gave her right to participate in all fields of life. For example, if a woman has capacity to look after her children and to do any business or job, no one has right to prevent her from doing so. Here female can perform all those activities for which she is eligible. To understand the activities of a Muslim woman in a society in true Islamic perspective, it is necessary to know the status and functions of Muslim women during the period of Holy Prophet (Peace be on Him) and thus to compare the condition and role of Muslim woman in this current scenario. Now I would discuss the contribution of Muslim women in the development of society during the life time of Holy Prophet (Peace be on Him).

1.2.1 Participation of Muslim woman in getting education and in the freedom of expression.

It is interesting to note that a woman, in the period of Holy Prophet (Peace be on Him) was full of confidence and had to share her opinion in every matter.. A Muslim woman could express her opinion not only before her husband but also before Holy Prophet (Peace be on Him). If we see in the Qur'an, we find chapter twenty eight started with the name of a Muslim Woman, Arguing and litigating with Holy Prophet regarding her husband. The Qur'an states: "Allah has indeed heard the statement of the woman who pleads with thee concerning her husband and carries her complaint to Allah."³³ A Muslim woman at that time was free to ask any type of question to Holy Prophet (Peace be on Him), for that she was not required to take permission from her father or husband. When ever she wanted, she had to go to Holy Prophet directly without any hesitation and prior permission of her husband. There are number of *ahadith* which prove that she did not need permission from her husband to do so. In this way she enjoyed the right of getting knowledge and to learn from Holy Prophet. It is important to note that knowledge includes all types of permissible knowledge, whether religious or scientific. Because majority of *Qur'anic* verses and *ahadith* mentioned this word in absolute and in general terms. The Qur'an states: "Allah will raise up to ranks those of you who believe and who have been granted knowledge and Allah is well acquainted with all you do."³⁴ The Holy Prophet said: "Who travels for learning & knowledge, God makes easy, his/her way to paradise."³⁵ Here the word "who" includes both man and woman. In another hadith it is reported from Anus b. Malik that Holy Prophet said: "Get knowledge whether in

³³The Qur'an, 58:1. That woman was Hazrat Khawla bint Sa'lbah whose husband divorced her by way of Zihar, See for detail, Ibn-e-Kathir, Abu al-Fida Isma'il, *Tafseer al-Qur'an al-Azeem* (Bairut: Dar al-Fikr, n.d., 4:318.

³⁴The Qur'an, 58:11; Consult, Abdul Latif Sayyad, *Haqq al-Mar'ah wa Haqq Zwjihah Kama Ja'a Biha Rasul-Allah* (Iskandariah: Cultural Publishing House,2006), pp.155-158.

³⁵ Al-Tirmidhi, *Sunan -al- Tirmidhi*, 3:34, Kitab al-Ilm, Bab Fadl al-Ilm.

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China, because getting knowledge is an obligation.³⁶ It is clear that at that time there was no Islamic knowledge in China. Then Holy Prophet had to arrange separate sitting with women to teach them properly. It shows that how our great Prophet was concerned with the education of women. It is also proved that co-educational discussion is also allowed where it is necessary. It is reported that Umme Fadl participated in the discussion regarding the fast of the day of 'Arfah. Some companions were saying that the Holy Prophet had fast while others were denying it. Then Umm-e- Fadl sent a Bowl of milk to Him. The Holy Prophet Drunk it while He was on camel.³⁷ We see that how women were active and confident. It also indicates that a women posses ability to understand the situation and to solve the problem in sophisticated manners. She has full capacity to participate in educational discussion. This is possible only if women have knowledge on equal basis. The fact is that only knowledge can expand the vision & exposure of a woman. By getting knowledge she will be able to grow up and to train her children properly. She learns to manage time and life. Then in Crucial circumstances she can contribute her husband in his financial responsibilities. If her husband has no good earning, may be due to her job, they progress by leap and bound. No doubt that knowledge is the source of civilization, strong culture and prosperity. It is also said that the first learning institution of a child is the lap of his mother. An illiterate and uneducated woman can not become a learning institution, if she herself has no vision. Will God do not ask about the infringement of the rights of woman to get education as human being? Unfortunately, we are not agreed to consider the distinct personality of woman. We take her just as daughter, sister, mother and wife. We have no concern with her mental, spiritual and social needs. Being a daughter and sister, she is expected to sacrifice and to seek permission from her brother and father for every basic and minor thing. E.g. for getting education, she is not free to decide according to her own desire. It is strange that a father and brother allow her to go to markets, to attend marriage ceremonies without proper *Hijab* and head *scarf* but if she wants to get higher education in a university she is not allowed. In many cases, daughters are forced to get marriage during their studies. Again issue of her consent concerning marriage arises. Being a wife, we consider her just as an object and soulless thing, having no desire no contradiction. She is expected to say yes boss even on wrong and foolish decisions made by her husband. Many women want to study and to get education while staying at home, but their husbands do not allow them. Is it not strange that she can spend in the way of Allah without the permission of her husband which is permissible */nafl* but she can not get education without his permission which is an obligation?

³⁶ Ibn 'Abdul Bar, *Jama' Bayan al-'Ilm wa Fadluhu* (Cairo: Dar al-Kutub al-Islamiah, 1983), p. 27.

³⁷ Al-Asqalani, *Fathul Bar*, 5:180-181.

³⁷ Sahih Muslim, Kitab al-Siyam, Bab Istehbab al-Fitr, 3:145.

Majority of our religious minded people are not in favor of higher studies of their daughters, it is this reason that in an Islamic state like Pakistan only 4% of our female succeed to reach universities. In our society, freedom of speech is often used against the woman. This male dominant society does not like freedom of expression from her daughter, sister, and wife and even from his colleague. Here I would like to quote saying of a woman to Hadrat 'Umar, The great caliph of Muslim *ummah*:" O 'Umar! Allah has given us right of unlimited dower and you are going to prevent us by limiting it; does not God say in Qur'an: "And if you have given one of them a treasure, do not take back any thing from it."³⁸ Then Hadrat 'Umar said: "Woman is right and 'Umar has made a mistake." ³⁹ Thanks to God we have good and positive thinking for our mothers. Only here we act upon *Ahadith* that paradise is under the foot of mother. But until this stage, she has lost all her capacity, strength and energy to do any work. In majority cases, a woman in our society succeeds to get respect and to give suggestions after the marriage of her children. This practical situation simply means that we respect only weak and helpless, deaf and dumb female. Will Allah ask us only about our mothers?

1.2.2. Social & political activities of women.

Islam regulates every affair of the individual in detail manners. The life of Muslims is ruled in its entirety by the *shariah* which spells out the precise rules and regulations governing individual relations with God as well as with fellows.

Since Islam considers a woman a social being, so allows her to participate in social gatherings and to contribute in social development. It is easy for us to hold the social fabric of the Islamic society through the history of the Muslim society. During the time of prophet, the Muslim woman had a strong contribution in the development of Muslim society. We see when ever Muslims were called for a meeting or some gathering, women hurried toward it and no one had to forbid them. It is reported from Khawla bint Qays that during the period of Holy Prophet, Hazrat Abu Bakr and in early days of Hazrat 'Umar we (women) had together in the mosque, we had friendship with each other, we talked together and some of us treated the sickness of eyes.⁴⁰ Talking about these gatherings 'Allama Ibn al-Qayyam Al-Jawziyah writes:

What the Madani people reported about the speeches of Holy Prophet Peace be on Him, it is seems that they have stated that Holy Prophet kept silence regarding

³⁸The Qur'an, 2:229.

³⁹This happened in a general meeting with Muslims. This shows the freedom of speech for woman in interesting manners. Women, at that time were bold and courageous and could not afford any negligence regarding their rights .They had to attend every meeting called by Caliph without the permission of their husband. It also proves contribution of woman in the legislation. See for detail, Ibn-e-Kathir, Tafseer al-Qura'n al-'Azeem, 1:467.

⁴⁰Ibn S'ad, Tabqat al-Kubra, 8:296.

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the issues of women to go outside the homes, to appear in mosques and to attend the social and general meetings, when it was announced.⁴¹

It is reported from Anas b. Malik: “when ever the Holy Prophet (Peace be on Him) intended to Jihad, He had to take Umme Saleem and some other women with Him. They had to drink water to wounded Muslims, bandaged, and treated them.”⁴² In another Hadith Umme ‘Atiyah reported that they were ordered to go out side the homes on *Eid* day, even unmarried and *Haidah* were also asked to go to mosque. *Haidah* were asked to remain behind the people, to say *takbeer* and to participate in *Eid* pray.⁴³ This Hadith indicates that only the unmarried females had to stick at home until Holy Prophet ordered them to go out side to enjoy *Eid* day. But married women were free to attend social and religious ceremonies. Then Holy Prophet allowed a woman ‘Asmah bint ‘Amais to treat the children through spiritual way (*dam*). Another Muslim *Ansari* woman, Umme Sharik was very rich and generous and living alone. Many companions of Holy Prophet (Peace be on Him) had to come and stay at her home. She had to attend her guests.⁴⁴ It is reported from ‘Abdullah b. ‘Amarw b. ‘Aas:” Some people were gathered at the home of Hadrat Abu Bakr in his absence. They were talking to his wife ‘Asmah bint ‘Umais, at once Hadrat Abu Bakr entered in to home and felt odd. He discussed it with Holy Prophet (Peace be on Him) and said: “I found it for betterment.” Then Holy Prophet (Peace be on Him) announced: “After this day no one is allowed to enter in to the home of a woman in the absence of her husband except in group.”⁴⁵ This event proves the gathering without prior permission of husband and indicates that there is no harm if some people gather at the home of a Muslim woman. Such type of gathering removes doubt. It also shows the liberty of women at the time of Holy Prophet and refutes the claim of those who declares a woman as property of man. Umme Kalsum bint ‘Aqibah migrated towards Medina during the period of reconciliation, she was unmarried. Her family comes to take her back but she refused to go back and Holy Prophet refused to give her back.⁴⁶ In this way that woman expressed her right of politics by showing her affiliation with Islam. We also know that Hadrat ‘Ayesha exercised her political right by demanding the implementation of retaliation for murder of Hadrat ‘Uthman. Then Hadrat ‘Ayesha had communication with ‘Arab leaders from all over the world. They wrote letters to her. They sent gifts for her. Hadrat ‘Ayesha had to reply them and accept their gifts.⁴⁷

⁴¹ Ibn Qayyam al-Jawziyyah, *A’lam al-Mawqa’in*, 2:388.

⁴² Imam Muslim, *Sahih Muslim*, Kitab al-Jihad wa Sayer Bab Ghazw al-Nisa m'a al-Rijal, 5:196.

⁴³ Imam Bukhari, *Sahih Bukhari*, Kitab Al-i`daen , Bab Takbir Ayyam Mina` ,3:115; *Sahih Muslim*, Kitab Al-i`daen, Bab Zikr Ibahat Li-Alnisa` fi al-I`daen, 7:118.

⁴⁴ Imam Muslim, *Sahih Muslim*, Kitab Al-Talaq, bab Al-Mutalliqah slasn, 4:196.

⁴⁵ Imam Muslim Sahih Muslim, Kitab Al-Salam, Bab Tahreem al-Khawa bil-Ajnabiyyah, 7:8 .

⁴⁶ Imam Bukhari, *Sahih Bukhari*, Kitab Al-Sharut, Bab Ma- Yajus min Shurut.6:240.

⁴⁷ Imam Bukhari, *Sahih al-Bukhari*, Kitab Adab al-Mufrid , bab al-Kitabah ila` al-Nisa` , 8:108.

1.2.3. Contribution of women in commerce and business activities.

Islam encourages its believers both man and women to do work and to earn. It has been declared in the Qur'an: "And when the prayer is finished, then ye may disperse through the land. And seek of the bounty of Allah."⁴⁸ Islam appreciates working and earning. It is this reason that it favors the unlimited rights of ownership, It motivates it believers to do work hard and condemns the begging. This right to work and earn is a fundamental right of human being, man and woman. For man it is an obligation to work, to earn and to spend on her family. For woman it is permissible. A woman can adopt any permissible profession, job and business. To carry on her professional activities, it is her right to communicate, to deal, to enter in to any contract and to travel.⁴⁹

It is the right of human being to work and to up grade his living standard. According to Islamic Jurisprudence permissibility or *Mubah* does not depend upon the necessity. So it is not correct to say that a woman can adopt a profession only in case of necessity. Necessity permits prohibited things. The only condition is that this permissible matter should not in clash with her duties that is to look after her children and to care for the property of her husband and to attend her husband heart heartedly. We have number of examples that a Muslim woman in the period of Holy Prophet (Peace be on Him) was enjoying this right with full freedom. She earned and spent and become a source of prosperity for her family. For example, the work and professional activities of Hadrat Asma' bint Abi Bakr, she had to work out side the home; she assisted her family and some times her husband at her own discretion. Her husband 'Abdullah b. Zubair never inquired about her professional activities. According to Jamhur al-'Ulema: she was doing so with her own desire because she was not under obligation to assist her husband outside the home.⁵⁰ Once she sold her female slave and got money. Meanwhile Hadrat Zubair came and asked her to give him that money. She refused and said that she had given it in the way of Allah. Her husband did not mind it.⁵¹

It is reported from 'Abdullah b. 'Abbas that Holy Prophet took women to *Jihad* and they were given share from the booty (*Mal-e-ghanimat*).⁵² Another Hadith is that Umme Mubashir Ansariyah was a farmer and cultivated her farm, and Holy Prophet appreciated her on her work. It is reported that aunt of Jabir b. 'Abdullah had to earn money by collecting dates during her waiting period and Holy Prophet allowed her to do so. Though, she was advised not to work by her relatives. From this hadith it also appears that she was not facing the problem of maintenance and her

⁴⁸The Qur'an, 62:10 .

⁴⁹ Dr. 'Abdul Karim Zaidan, p: 265.

⁵⁰ Ibn-e- Hajar al-'Asqalani, 9:323-326.

⁵¹ Imam Muslim, *Sahih Muslim*, Kitab al-Salam, Bab Jawaz al-Mar'at, 7:12.

⁵² Ibid. , Kitab Al-Jihad Bab Al-Nisa' al-Ghaziyat. 5:197.

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relative were agreed to maintain her during her waiting period.⁵³ It is stated that Hadrat Zainab wife of ‘Abdullah knew handy craft. She had to prepare goods and sold it. Once she intended to spend in the way of Allah and Hadrat Zubair asked her:” It is better if you spend on your kids and husband. She refused to do so and consulted the Holy Prophet regarding this issue, and then Holy Prophet advised that if she spends on her husband and family, it will be more reward able for her⁵⁴. Once, an Ansari woman took permission from Holy Prophet to make for Him a stage of wood (*minber*). Then she ordered her slave to prepare it for Holy Prophet. There was no report that she did it with prior permission of her husband.⁵⁵ The Holy Prophet had to encourage women to learn and to teach one another. For this He ordered Shifa bint ‘Abdullah to teach Hadrat Safiyah.⁵⁶ Then a woman had to clean the mosque and Holy Prophet appreciated it. When she died, the Holy prophet performed her funeral prayer.⁵⁷ It is reported that when ever any trade delegation came to the city, all men and women had together around it to know the rates of goods and to buy things and the Holy Prophet was among them but He never prohibited women from coming there.⁵⁸ The best example is that Hazrat Zainab wife of Holy Prophet was professional; she dyed the animal’s skins. She stitched water bags, sold them and earned money, then she had to give in the way of Allah.⁵⁹ It means that a woman can work or adopt a profession even if there is no necessity because other wives of Holy Prophet did not do any work as a profession. Then there is no report that Holy Prophet audited her regarding her income and expenditures. Another wife of the Holy Prophet Hadrat Maimunah bint Harith set free her maid slave without prior permission of Holy Prophet. When Holy Prophet came to her on the day of her urn, she told Him about it. The Holy Prophet said:” If you gave her to your uncle it would be more reward able for you.”⁶⁰

To conclude this section, I would like to say that the women during the period of Holy Prophet played a significant role in the cultural and intellectual advancement of the Muslim society. There was hardly any phase of life where women did not contribute. They enjoyed a degree of freedom that was rare in the contemporary period of Muslim world. Though, in presence of such a rich religious and cultural history it seems unnecessary to legislate in favor of women of Pakistan. Yet certain steps have been taken by all the governments of Pakistan to protect women from

⁵³ Ibn-e- Sa`d, 8:290.

⁵⁴Ibid. , 8:291.

⁵⁵Ibn-e- Hajar al-‘Asqalani, 2:100.

⁵⁶Ibid.

⁵⁷Ibid. , 2:101.

⁵⁸Ibid . 3:76.

⁵⁹Ibid. 4:28 .

⁶⁰Sahih Bukhari , Kitab al-Hiba` Bab Hibatul-Mara`t, 6:146.

discrimination and harassment. Let me discuss these legislative enactments made by different governments in favor of women of Pakistan.

2. Contribution of Muslim Women in the development of Pakistani Society.

2.1. Regional introduction of Pakistan

Pakistan, a nation-state established in 1947 on the basis of distinct Islamic features and culture. Pakistan in itself has a very rich cultural and traditional background going back to the Indus Valley civilization, 1800-2800 BC. The region of Pakistan has been invaded, occupied and settled by many different nations including Dravidians, Aryans, Greeks, White Huns, Persians, Arabs, Turks, Mongols and various Eurasian groups. Each of them had its own culture and civilization, since has a great impact in the development of Pakistani culture.⁶¹

The origin of Pakistani however comes from Arab lands. Islam arrived in this area in 713 C E, when the Umayyad dynasty sent a Muslim ‘Arab army led by Muhammad b. Qasim against the ruler of Sindh, Raja Dahir whose pirates attacked Arab ships and made their women slaves. The Muslim army conquered the north western part of India. Thus ‘Arab Muslims set the religious boundaries of South Asia that led to the establishment of Pakistan.⁶² This is the historical background of Pakistan.

2.2. Population of Pakistan.

So far as concern the current situation, the estimated population of Pakistan in 2009-2010 was over 180, 000 making it the world’s sixth most-populous country, behind Brazil and ahead of Russia. By the year 2020, the country’s population is expected to reach 220 million, owing to relatively high growth rate.⁶³ The expected population growth in the year 2010 is 4829200 making it the world’s fourth country having highest growth rate, behind Indonesia and ahead of Nigeria.⁶⁴

Pakistani women have the ratio of 52% of the total population. Among Pakistani People 42% are less than eighteen years of age. Pakistan, where about a third of its population live below the International poverty line of US\$1.25 a day, where a common man earns only 6000Rs per month and has 5-6 children to maintain.⁶⁵

⁶¹ OM. Gupta, *Encyclopedia of Pakistan , India and Bangladesh* (Delhi: Isha Books, D-43, Adrash Nagar, 1996) 1:170-171

⁶² Ibid. , 1: 173.

⁶³ Pakistan, An Official Hand Book (Islamabad: Directorate General Publications) p.269.

⁶⁴ Report in Weekly Akhbar-e-Jahan, 01-07 March (Karachi, Regd. No. SC-28, 2010) p.30

⁶⁵ The World Book Encyclopedia (Chicago: World Book Ink, 2000) 15:97; Pakistan Almanac 2000-2001 (Islamabad: Royal Book Company, 2001) p.186.

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2.3. Condition of Pakistani women.

Muslim women of Sub-Continent were never thought to be equal to men in any way. Since long time they were asked to live within the four walls of their houses. They were rarely given a chance to expose and to show that they too had a brain or thoughts of their own.⁶⁶ I think it is due to the ignorance and illiteracy of Muslim in this area. However, whenever Pakistani women were given a chance, they proved themselves competent in every walk of life. We can not forget the remarkable contribution of Motharma Fatima Jinaah in the movement of Pakistan. We had woman like Begum Shaista Ikramullah, Ra`ana Liaqat Ali Khan, Lady Abdullah Haroon, Begum Salma Tasuddaq Hussain leading our march to freedom. After the formation of Pakistan, feminist organization started by Motharma Fatima Jinaah to eliminate social injustice against women of Pakistan. Rana Liaqat 'Ali Khan established All Pakistan Women Association (APWA). The Pakistani Women granted the suffrage in 1947 and they gained the right to vote in National elections in 1956.

2.4. Legislations in favor of Pakistani women.

Since the establishment of Pakistan the government has special care for the progress and growth of Pakistani women. To represent the public, the reserve seats for women in the parliament existed through out the constitutional history of Pakistan from 1956 to present. During the regime of Zulfiqar 'Ali Bhutto a liberal attitude was adopted towards women of Pakistan. For the first time all government services were opened to women including the district management group and the foreign services, which have been denied to them earlier. The most significant role of this government was to protect woman through the Constitution of Pakistan 1973 and gender equality was specifically guaranteed in this Constitution. Article 25(2) states: "There shall be no discrimination on the basis of sex." In the same article it has announced that the state shall make special provisions for the protection of women and children.⁶⁷

Similarly Articles 26, 27 announce that all public places and public services shall be in access to all Pakistanis irrespective of their cast and sex.⁶⁸ As a result of military coup in July 1977 the Bhutto's government overthrew by the Chief of army Staff, General Muhammad Zia-ul-Haq. During his period (1977-1986) many steps were taken towards institutional building for women's development. In 1981 General Muhammad Zia-ul-Haq nominated the Federal Advisory Council and included 20 women as members. In 1985, the National Assembly elected 20% women (Doubled women reserved quota) through non party elections. However, Zia-ul-Haq initiated contradictory policy by introducing discriminatory legislation against women such as

⁶⁶N.K. Singh, *Social Justice & Human Rights in Islam* (New Delhi: Gyan Publishing House, 1998) pp:32-33.

⁶⁷ The Constitution of Pakistan 1973. (Lahore Mansoor Book House, 2004) pp:82-8

⁶⁸ See, The Constitution of Pakistan 1973.

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the set of Hadood Ordinance and the Law of Evidence Order. He suspended all fundamental rights given to women (Article 25, 26, 27). According to *Zina* Ordinance if a raped woman could not prove to the judicial system that she was raped, she had to face the charge of adultery. In September 1981, the first conviction and sentence of stoning to death (under the *Zina* of Ordinance) for Fahmida and Allah Bakhsh was set aside under the national and International pressure. In 1983, an orphan of 13 years old raped by her uncle and became pregnant. She was unable to provide evidence of four male eye witnesses. As a result, she was charged with adultery. She was awarded the *Tazir* punishment of one hundred lashes and three years of rigorous imprisonment.⁶⁹ Because of such legislation the past 29 years were not easy for women. In the early 80s obscurantist laws turned democratic dispensation up side down. Violence against women, endemic in Pakistan for years, increased as thousands of women raped and when they attempted to lodge FIRs, found them imprisoned on ground of adultery. Education and health care for women declined sharply. Almost no woman was visible at senior official cadres.⁷⁰

In 1988, Benazir Bhutto became the first female Prime Minister of Pakistan. Unfortunately, she could not repeal any single piece of *Hadood* Laws. In 1989, the first Women Bank was established. The Social action Program launched in 1992/93 to reduce gender disparities by improving women access to social services. In Feb. 1996, Pakistan acceded to the Convention on the elimination of all forms of discrimination against women (CEDAW). The country's first Women University was inaugurated on 6 August 1998. The Human Development and Poverty Reduction strategy was introduced in 1999 which aims the women as targeted group for poverty reduction but lacks the gender framework.⁷¹

The Ministry of Women Development is the designated national focal machinery, made independent ministry in Sep. 2004 during the regime of General Pervez Musharraf. In late 2006, the Parliament passed the women protection Bill, repealing some of the *Hudood* Ordinance. It aims to protect women from unjust accusation of *Zina*. This Bill invoked protest from hard-line Islamist leaders and organizations. Then The Protection of Women Criminal Laws Amendment Act has been also passed by the legislature. It is also a controversial Act.⁷²

On Jan. 2010, President Asif Ali Zardari signed the Protection against Harassment of Women at Workplace Bill 2009 which the parliament adopted on Jan. 21- 2010. The object of the Bill is to create a safe working environment for

⁶⁹ Article written by Asifa Quraishi, An Islamic Critique of the Rape Laws of Pakistan, Michigan journal of International Law, Vol. 18, No. 2, 1997.

⁷⁰ Ibid.

⁷¹ www.pakistani.gov.pk/ Ministry of women development.

⁷² Rehman, I. A. *The Legal Rights of Women in Pakistan* (Islamabad: n. p. 1998) p. 83; <http://www.dawn.com>.

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women, free of harassment, abuse and intimidation. According to this Bill all Professional Institutions are bound to set up an enquiry committee, which would inquire into harassment cases. The Criminal Law Amendment Act 2010 prescribes stringent punishment for harassment.

Another important work done by this government is legislation against domestic violence. This is the Protection against Domestic Violence Act 2008. For women 10% quota has fixed in civil services. Benazir Income Support program has launched to support poor female. Under this program two hundred and fifty thousand women are getting vocational training. Parliamentary women have established Women's Caucus to address women issues.⁷³ This was the legislative history in favor of Pakistani women. Let me have a bird eye view of the practical situation of the women in Pakistani society.

2.5. Problems of Pakistani professional women.

It has been clear by above discussion that getting education is primary duty of every Muslim man/woman. Talking about the educational condition, I feel sorry to say that among 134 countries of the world, Pakistan ranked on number 117, whom children can not get proper primary education. Where, 78% girls cannot complete their primary education due to this and that reason.⁷⁴ In the presence of such a bitter situation how can we claim that we are true believers of Islam? In Pakistan, 98% people are Muslim. What are the reasons behind this ignorance and illiteracy? The educational status of Pakistani women is among the lowest ranks in the world. The school dropout rate among women is very high (almost 50%). Even then, the educational achievements of women student are higher than men students.⁷⁵

So far as concern the issue of freedom of opinion, women are not empowered to realize her own worth and not be able to make decision regarding their own life to a reasonable degree, independent of the influencing factors. Majority of our women, whether working or at home; single or married; do not exercise these rights. They are being demanded to abide by their so called norms and they need approval from their male for every petty matter. They have no power even to choose their desired study area. Again issue of her consent for marriage arises. She cannot express her opinion regarding her life partner. Father does not bother to take her consent and to consult her. She suffered domestic violence after marriage only due to social pressure. After marriage, parents are reluctant to hear her problems and to solve them.

⁷³ Report, Jang Development Reporting Cell, Published on Thursday, Tuesday, 9- 3-2010.

⁷⁴ Report, Jang Development Reporting Cell, Published on Thursday, Tuesday, 4- 3-2010.

⁷⁵ Ibid.

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Domestic violence is considered as a non judicial, private and family matter. It is reported that domestic violence takes place in Pakistan, approximately 80%.⁷⁶ Domestic violence occurs in form of beating, torture, acid attacks and burning the victim alive. As majority of women got married during their studies they can not get rid of this violence because they are helpless. This is a major cause to create and to bear domestic violence. Women do not have knowledge or any professional skill. So they are afraid of maintenance because their old parents can not afford them. She can not seek divorce. Contrary to Islamic provisions, she can not claim for separation even if her husband refuses to spend a single penny on her and to maintain her. It is reported that violence against women increased by 13% in 2009, with 8548 incidences of violence reported country wide.⁷⁷ Dowry is another problem faced by Pakistani women. In a country where more than one third of its population lives below the International poverty line, where a common man earns only 6000Rs per month and has 5-6 children to maintain, where girls are uneducated, it is impossible for parents to prepare dowry for girls. Illiteracy and dowry both result in degradation of the women.

Education of women not only upgrades them but also be helpful in preparation of dowry. Thank to God, now parents and girls have awareness, yet they are willing to carry on their studies whilst expecting a child. But this issue is also dependent on the permission of husband, even if a woman is agreed to get education through electronic means. The participation of women in politics is less concerning issue in absence of education and confidence over women. Although, the participation of women in politics is increasing, in majority cases, it is her father or husband who decides whether she should participate in politics or not. Again this issue has no religious base. This is the sole authority of man. The best example is the local government system introduced by General Pervez Musharraf. In Union Councils women were given 33% representation. It is strange that women were allowed by their fathers and husbands to participate in elections only but in many areas they were not allowed to attend meetings and to perform their duties. These are their fathers, husbands and brothers who had to attend meetings and to decide the matters.⁷⁸ What a government can do in such circumstances?

As for employment opportunities, Pakistani woman plays a countable role in agricultural production, livestock rising and cotton industries. The current report is that 72% of rural women participating in agriculture with men. They work 14-16 hours a day.⁷⁹ In Pakistan economic mobility is allowing woman to pursue career of

⁷⁶ A survey conducted by Human Rights Commission in 1996.see for detail, www.ansarburney.org/women.

⁷⁷ Data collected by Aurat Foundation, www.Auratfoundation.com.

⁷⁸ Jang Mid-Week Magazine, 24-03-2010, p.8.

⁷⁹ www.gov.pk

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her choice and earns a living. She has accepted the challenges in the development of the society beyond her four walls. She is certainly more aware as compared to her sisters 20-30 years ago, in terms of social dynamics, knowledge base and her own opinion on things. She developed her competence to be a part of a larger economic development frame work. As a result, women are offered various positions in the professional fields. Since Pakistani women got numerous achievements. There is hardly any phase of life where women did not make a mark—literature, science, poetry, art, medicine, philosophy as well as game. Many earned their living and some practiced in the court but still professional women are not in majority.

According to the World Bank's report (1997), only 28% women of the country constituted labour force. These are the women of lower class. They work in the houses, fields and giving birth whilst they are working.⁸⁰ Human Rights Commission of Pakistan's report (1999) shows that only 2% of women are participating in the formal sector of employment.⁸¹ This number is increasing due to special care of government.

For Pakistani woman the problem is not the seeking permission of her husband. Permission is there because of unemployment of male members and Price hike of basic needs. The problem of Pakistani woman is the exploitation of her basic and fundamental rights. An educated and professional Pakistani woman is facing so many problems. Especially when she is married, if husband allows her then she has to face criticism from her in-laws. She is being objected on her timings when she is going and coming back. She has to satisfy them on each and every petty matter. She is expected to prepare break fast before her departure and to make dinner after her arrival. Another problem is that she is not allowed to attend meetings and other leisure activities of her institution. It is assumed that she is ironic having extra physical structure and no mental level. She should perform all official and household duties without any resistance like animal. Then she should be ready to hear negative comments as she is found of wondering, she does not like to stay at home and she does not care for her children. This extra burden and behavior of her family make her old before time. Then no body cares for her health. This adverse attitude leads to nutritional deficiencies.

It is this reason that malnutrition affects women more than men. At least 40% of women are anemic. Adult women consume less iron than men in Pakistan even though their requirement is thrice as high as men. Since malnourished mothers face the likelihood of low birth weight babies who often grow up into children with

⁸⁰World Bank Indicators,1997.(Washington, D.C.: World Bank, 1997)

⁸¹Human Rights Commission of Pakistan's report 1999.

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abnormally low height, weight, deficient learning capabilities and susceptibility to disease.⁸²

Then complex of superiority in man towards his professional wife is also a problem. Here husband does not like to cooperate, to encourage her. He forced her to do all house hold work though in case of nonprofessional woman, he allows her to keep a maid servant. This is due to his complex that his wife may not think her self free and equal to him. She is being clearly demanded to contribute in the maintenance of family. She is not allowed to deal with her property and saving according to her own wishes. It is her husband who decides all matters. Even then she has no reward, no praise and no encouragement.

Then issue of child care is considered the sole responsibility of woman. Husband does not bother to arrange for day care center for his child. Compare to western woman, she is looking like a young woman at the age of 45-60, a Pakistani woman looking like an old lady at the age of 30-40. The only reason is unjust and critic attitude towards women. Talking about social attitude towards professional women, I would like to say that it is dependent upon her family behavior. If family support her and appreciate her, people become irrelevant with such woman. More than 50% problems of professional woman arise due to lack of cooperation and confidence from her family:

Out side home, many problems welcome her also. One of these is the public transport. Pakistan is an Islamic state but there is not separate transport system for women. A noble lady feels embarrassment when she is asked to travel in the rush of men. She has no security if someone infringes her right of honor. Then in majority institutions there is no arrangement for day care centers. Woman suffers mental and physical torture if she is mother of a feeding baby. In such a condition she is not able to perform her official duties very well. Every after two hour a baby needs to feed from his mother's breast. Absence of feeding for more than six hour causes deficiency in child and breast cancer in mother.

The most important problem for a Muslim woman is co-environment in offices. One man and one woman are asked to sit in an office. It leads to the destruction of family. God has created a man with possessive nature. It is beyond his capacity to tolerate that his wife has to sit for a long time with another man in an office. It also leads to the sexual harassment. Sexual harassment is one of the biggest hurdles for working woman working in different professions. The reports show that the number of rape cases is increasing day by day. Talking about Islamabad 238 rape cases were registered during last year (2009) which was 150 in 2008.⁸³

⁸²Pakistan National Human Development Report, pp. 67-68.

⁸³Jang Daily Newspaper, Report prepared by Ansar Abbasi, 15-03-2010.

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Suggestions and Recommendations.

These problems can be solved by taking the issues of professional woman seriously. It needs only sincere planning. It is just matter of management. The first priority should be given to the equal opportunity of education to women. It is a good step of Punjab government that it gives books free at school level and a special incentive is given to female students by providing them scholarship of 300Rs monthly. Another important legislation is the provision of 18th Constitutional amendment according to which getting education is a fundamental right of every child from 5-16 years of age.

The government should take another important step that is to build separate educational institutions for girls. This will solve the problem of unemployment of teachers on one side and fulfill the condition of *Shariah* on another side. The duty of religious sect is to understand the *Shariah* in its true perspective. Knowledge does not mean the knowledge for boys only it also includes girls. The Holy Prophet Peace be on Him motivated His companions to educate their female slave. Imagine the status of a daughter. We have pointed out it earlier that only educated woman can perform her duties well. Do not afraid of her knowledge, she will not be out of control, if her training is good and according to *Shariah*. This is duty of every father to educate his daughter. Then she should have some technical and professional skill also so that in case of necessity she may survive with due respect and honor with out begging.

Wastage of time is another problem. A woman should busy in positive and healthy activities rather than to waste time in playing, watching movies, talking useless. If a boy gets education and performs all other religious and social activities, then a girl can do also. Why she should be bound to confine to home and learn only household work? We should learn lesson from our female companions of Holy Prophet. We should spend our time in productive activities. Allah Almighty Said in Holy Qur'an:" who does right doing whether male or female and who is believer, We keep them in world in modest life and give them good reward on the Day of judgment"⁸⁴ In case of necessity earning become an obligation for woman. How can she be able if she is illiterate and ignorant?

A professional and educated girl can contribute her husband in case of poverty. This is the reason that now boys demand to marry with an educated girl. Here mind set of men should be changed; their wives are not their slaves to contribute and to improve their economic condition but can not spend their salary with out their permission. A man should admit her sacrifices, she does for her family. We know that if man is unable to maintain his wife, Islam orders for separation between them.

⁸⁴ Xvi: 97.

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According to the majority of Muslim Jurists if a man is unable to maintain his wife, he should leave her way to earn. It is important to clear that in this situation man is not entitled to bind her. Here he is bound to contribute in household works.⁸⁵ It is estimated that in our Pakistani society more than 80% married women earn in case of necessity. In this case husband is unable or having low income to maintain his family.

The problem of day care centers should be taken seriously by the government and these should be established by the executive order of government. All institution must have its own day care centers. Leisure hours should be given to professional women. There must be separate offices or working places for male and female employees. This would save us from destroying our religious and cultural requirements. Husbands will satisfy regarding the working environment of their wives.

Separate public transport for women should be started or each institute should be bound to provide pick and drop facility to women workers.

To cover face of women is an obligation or not? This issue should be solved by way of public interest. Because a Muslim woman was ordered to cover her face by way of *Sad al-Driah*. Originally, only *Hijab* is compulsory. That is covering of whole body along with head with open face and hands only. It is stated in Qur'an:" O Prophet tell your wives and daughters and the believing women, to cover themselves with *Jilbab*(A long cape from head to foot). So that they may be recognized and may not be molested."⁸⁶ Talking about the *Illah*(attribute) behind this *Hukm* Qazi Ibn-e-Rushed states:

When *Amr* and *Nahi* based on common logical reasoning, Muslim Jurists have disagreement regarding the *Hukm* of it. Whether this logical reasoning can be a base to move *Amr* from *Wajub* towards *nudab* or *Istehbab* and *Nahi* from *Hurmat* to *Karahah* or not...He said: Those Shari *Ahkam* which are based on logical reasoning, majority of them are from the category of good moral values or from public interest and such types of *Ahkam* are permissible generally.⁸⁷

Later on Qura'n declares:" And say to the believing women that they should lower their gaze and guard their modesty; that they should not display their *Zeenah*/ ornaments except what appear ordinarily."⁸⁸ To interpret this verse Ibn Abbas, Mujahid and Ata' said that Except what appear ordinarily means face, makeup of

⁸⁵See for detail, Ibn Qadamah, *Al-Mughni*, 11:361-396; Dr. Umar Sulaeman, pp.281-282.

⁸⁶38:59.

⁸⁷ Abu Walid Muhammad B. Ahmad, Al-Qurtabi, *Bidayat Al-Mujtahid wa Nihayat Al-Muqtasid* (Lahore: Qazafi Street, 17 Urdu Bazar, 1992) 1:54.

⁸⁸24:31.

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eyes and hand. According to Hanfi Jurists it means face, and hands. The base of this interpretation is the *Hukm* of *Satar* during prayer.⁸⁹

Now a day, the *Hukm* of *Wajub* of covering face seems difficult to practice. It is this reason that young generation of our society does not practice it. Majority of our Muslim women moves in markets in objectionable dress up. Some women wear tight gown and keep their heads and necks uncovered. I think they do not know that what things of their body should be covered. It is better to preach for *Hihab* only. The fact is that *Hijab* not only covers women but also makes her decent. Government should take certain steps to implement proper Islamic *Hijab* in working places. Religious scholars should use for this purpose TV and on other electronic means of communication.

Then topics and *Ahadith* concerning the rights and professional activities of earlier Muslim women should be taught in every educational institution. This will help to reduce domestic violence. Men will start to respect their women and to consider them as a subject like them.

It is estimated that 90% of Pakistani people have 6000-10000Rs salary or income. 8% of people earns 20000Rs per month. Only 1.5% persons have income from 20000- 50000 Rs per month. About one third of Pakistani people live below the poverty line.⁹⁰ In such crucial circumstances it becomes necessary that women must have knowledge and professional skill. Can in these circumstances a fatwa can be issued in favor of Pakistani professional women who are not only contributing their husbands but also being exploited by them? Who can prevent a husband from beating and exploiting his wife? If only legislation then we should be proud of our religion. We have a rich history both theory and practice. Is government of Pakistan? Yes, we have lot of legislations in favor of women. But all these steps are useless because there is no implementation.

So our prime focus should be the implementation of rights of women in our society. This can be happened only by way of changing the minds of men. A change should be brought in the style of training of male children. Parents should treat equally girl and boy. There are different sects in our society. Liberal sect, considerable equality is there but far from Islamic life style. Conservative/religious, more than 80% claim to be religious. Is Islam existed there especially for women? Another group of illiterate or ignorant persons, this sect is that portion of our society which is poor and always fights to survive. This sect has no concern with the issue of

⁸⁹ Al-Jassas, Abu Bakr Ahmad B. Al-Razi, *Ahkam Al-Qur'an* (Bairut :Dar al-kutub al-Arabi, n.d.) 3:1371; Yusuf Al-Qardawi, Al-Hlal wa Al-Haram fi Al-Islam (International Islamic federation of Student Organizations, 1989) pp.83-87; Muhammad Dahir Watar, *Makanatul-Mara'tah fi Al-Shawn Al-Idariyah* (Bairut: Mawassatu al-Risalah,n.d.) pp. 125-128.

⁹⁰ The World Book Encyclopedia (Chicago: World Book, Inc. 2006) 15:97; Dr. Nasrullah Khan Klair, Column, published in Daily Jang, 07-03-2010.

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women. Their women are free to seek for earning, to work and to spend. The above mentioned problems are of those women who earn in case of necessity with the permission of their husbands. The figures of domestic violence show the biased attitude of men towards women. These are the registered but many cases remained unregistered due to socio-cultural environment against women.

To sum up, a mature and balance attitude towards women problems is the solution of all problems facing by contemporary Muslim women. The daughter of Muslim Ummah does not demand something extra or above nature. She demands just respect and acknowledgement of her services which she pays to her family. This will bring positive changes in our society. *Insha 'Allah.*

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